

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GEORGE SEPULVEDA,	:	Civil No. 1:17-cv-1718
	:	
Petitioner,	:	
	:	
v.	:	
	:	Judge Rambo
WARDEN J. BALTAZAR,	:	
	:	Magistrate Judge Carlson
Respondent.	:	

ORDER

AND NOW, this 23rd day of October, 2017, **IT IS HEREBY ORDERED** as follows:

- 1) The report and recommendation of the magistrate judge (Doc. 3) is **ADOPTED**;
- 2) The petition for a writ of habeas corpus is **DENIED** because the court lacks jurisdiction to consider the petition;
- 3) The aforesaid order is without prejudice to Sepulveda to take whatever action before the United States Court of Appeals for the First Circuit be deemed proper under 28 U.S.C. § 2255;
- 4) The court declines to issue a certificate of appealability as it is without jurisdiction to do so.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge